

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**UNITED STATES, *et al.*,
ex rel.
MICHAEL VAUGHN, *et al.*,**

Plaintiffs

v.

UNITED BIOLOGICS, LLC, *et al.*,

Defendants

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Civil Action H-13-1081

RELATORS' MOTION TO VOLUNTARILY DISMISS

Relators request that the Court dismiss this case with prejudice as to Relators and without prejudice as to the United States and the named states. Relators understand that the U.S. and the named states will notify the Court of their consent shortly.

At 2:20 p.m. on Monday, October 24, 2016, Relators' counsel sent an email to defense counsel which stated, in part, "we want to inform you that our clients have decided to dismiss their case with prejudice as to them but without prejudice as to the United States and the named States. Please let us know by close of business tomorrow if you have any objection to the dismissal."

Without responding to the email, Defendant filed a Motion for Summary Judgment at 1:29 p.m. today. (Doc. 89.)

The Court need not rule on the summary judgment motion; instead, Relators request that the Court grant this motion.

Respectfully submitted,

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**ATTORNEYS FOR RELATORS VAUGHN,
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CERTIFICATE OF SERVICE

I certify that on October 25, 2016, a true and correct copy of this document properly was served on counsel of record via electronic filing in accordance with the USDC, Southern District of Texas, Procedures for Electronic Filing.

/s/ Jan Soifer

Jan Soifer